

**CONSTRUCTION EQUIPMENT**  
Led by the State of Oklahoma

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Master Agreement #: OK-SW-192

Contractor: **CLARK EQUIPMENT COMPANY**

Participating Entity: **STATE OF SOUTH DAKOTA – CONTRACT 17286**

The following products or services are included in this contract portfolio:

- *All products and accessories listed on the Contractor page of the NASPO ValuePoint website.*

**Master Agreement Terms and Conditions:**

1. **Scope:** This addendum covers the **Construction Equipment** led by the State of Oklahoma for use by state agencies and other entities located in the Participating **State of South Dakota** authorized by that State's statutes to utilize State contracts with the prior approval of the State's Chief Procurement Official.
2. **Participation:** This NASPO ValuePoint Master Agreement may be used by all state agencies, institutions of higher institution, political subdivisions and other entities authorized to use statewide contracts in the **State of South Dakota**. Issues of interpretation and eligibility for participation are solely within the authority of the State Chief Procurement Official.

Eligible participants in this agreement include all agencies, institutions, officers, boards, commissions and public universities of the State of South Dakota, and all political subdivisions of the State, including counties, municipalities and public school corporations within the State of South Dakota.

Institutions under the control of the Board of Regents may make direct purchases from this agreement using their own procurement guidelines.

Political subdivisions of the State of South Dakota may purchase directly from the Contractor according to their own procurement procedures.

The Contractor may, at the Contractor's discretion, extend pricing from this agreement to Indian tribal governments and non-profit organizations in South Dakota. Any sales made to Indian tribes and non-profit organizations from this agreement shall be included in any required reports and shall be subject to the NASPO Valuepoint administrative fee.

3. **Primary Contacts:** The primary contact individuals for this Participating Addendum are as follows (or their named successors):

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**Contractor**

Name:	Jesse R. Rheault
Address:	250 East Beaton Drive West Fargo, ND 58078
Telephone:	701-241-8759
Fax:	None Available
Email:	jesse.rheault@doosan.com

**Participating Entity**

Name:	Scott Nelson
Address:	State of South Dakota PMB 01231 Bureau of Administration Office of Procurement Management 523 E Capitol Ave Pierre, SD 57501-3128
Telephone:	605-773-4275
Fax:	605-733-4840
Email:	scott.nelson@state.sd.us

**4. PARTICIPATING ENTITY MODIFICATIONS OR ADDITIONS TO THE MASTER AGREEMENT**

These modifications or additions apply only to actions and relationships within the Participating Entity.

[XX] No changes to the terms and conditions of the Master Agreement are required.

5. **Lease Agreements:** Any lease entered into by a State agency, institution, public university, officer, board or commission through this agreement may utilize the lease terms included in the Master Price Agreement at their own discretion. Leases that require authorization by the Office of Procurement Management will be reviewed and approved on a lease by lease basis.
6. **Subcontractors:** All contactors, dealers, and resellers authorized in the **State of South Dakota**, as shown on the dedicated Contractor (cooperative contract) website, are approved to provide sales and service support to participants in the NASPO ValuePoint Master Agreement. The contractor's dealer participation will be in accordance with the terms and conditions set forth in the aforementioned Master Agreement.
7. **Orders:** Any order placed by a Participating Entity or Purchasing Entity for a product and/or service available from this Master Agreement shall be deemed to be a sale under (and governed by the prices and other terms and conditions) of the Master Agreement unless the parties to the order agree in writing that another contract or agreement applies to such order.

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IN WITNESS, WHEREOF, the parties have executed this Addendum as of the date of execution by both parties below.

Participating Entity: <b>South Dakota</b>	Contractor:
Signature: 	Signature: 
Name: <b>Steven L. Berg</b>	Name: Jesse Rheault
Title: <b>Procurement Director</b>	Title: Government Contract Manager
Date: <b>02/28/2019</b>	Date: 3/1/2019

For questions on executing a participating addendum, please contact:  
NASPO ValuePoint

Cooperative Development Coordinator:	Tim Hay
Telephone:	503-428-5705
Email:	thay@naspovaluepoint.org

***[Please email fully executed PDF copy of this document to [PA@naspovaluepoint.org](mailto:PA@naspovaluepoint.org) to support documentation of participation and posting in appropriate data bases.]***

